THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12927 of 2006

20.4.2007

Between:

M.Ravinder Reddy, S/o.Ramakrishna Reddy

… Petitioner

AND

The Superintending Engineer, Panchayat Raj Circle, Karimnagar
And others

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.12927 of 2006

ORDER:

The petitioner is a registered contractor. He was entrusted with the work of upgradation of five earth roads in Karimnagar at an estimated cost of Rs.1.60 lakhs. Second respondent entered into an agreement under which, petitioner is required to pay seionerage fee for the earth, gravel, sand and metal used in the work. While working out the rates for this, respondents allegedly took into account the rates of seionerage fee as they applied prior to commencement of the A.P. Minor Mineral Concession Rules, 1966 (the Rules, for brevity), which was amended by G.O.Ms.No.217,dated 29.9.2004 with effect from 01.10.2004. However, respondents started applying the enhanced rates of seionerage fee and deducting the amounts from the bills submitted by the petitioner. Having come to know the petitioner approached the respondents and made detailed representations *inter alia* alleging that enhanced rates cannot be applied to the contract entered by the petitioner. Alleging that without disposing of the representation, respondents are recovering excess seionerage fee, present writ petition is filed. Petitioner seeks a direction to respondents to consider the representation in the matter and pass orders.

As rightly pointed out by the learned Assistant Government Pleader for Panchayat Raj, a copy of the representation made by the petitioner is not annexed to the writ petition. Petitioner alleges that he submitted detailed representations to respondents 1 and 2 giving analysis of the increase and possible financial implications. If that be so, respondents may consider the same and pass necessary orders. Liberty is also given to the petitioner to submit a copy of the representation to the respondents. Except making such observation,

no relief can be granted.

The writ petition, with the above observation, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

April 20, 2007.

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